

BILL ANALYSIS

C.S.H.B. 3461
By: Paul
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that certain municipalities, such as Pasadena, would benefit from additional authority regarding the sale of park land owned by the municipality. C.S.H.B. 3461 seeks to provide such authority.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3461 amends the Local Government Code to exempt a conveyance of park land owned by a home-rule municipality that is wholly located in a county with a population of more than three million and that has a population of more than 100,000 from the prohibition against the sale by the governing body of a municipality of land owned, held, or claimed as a public square or park unless the issue of the sale is submitted to and approved by the qualified voters of the municipality at an election.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3461 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 253.001, Local Government Code, is amended by adding Subsection (m) to read as follows:

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(m) Subsection (b) does not apply to a conveyance of park land owned by a home-rule municipality that:

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(1) is located in a county with a population of more than 3.5 million; and
(2) has a population of more than 145,000 and less than 165,000.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

(1) is wholly located in a county with a population of more than three million; and
(2) has a population of more than 100,000.

SECTION 2. Same as introduced version.